

REMARKS

Claims 1, 2, 4, 7, 8 and 30-36 are pending in the instant application. Claims 1, 2, 4, 7, and 8 presently stand rejected. Claims 1, 4, 7, and 8 are amended herein. Claims 30-36 are newly presented. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Drawings

The Office Action mailed on April 29, 2003 did not indicate whether the formal drawings filed on March 27, 2003 are acceptable or objectable to the Examiner. Accordingly, Applicants respectfully request an indication from the Examiner whether the formal drawings are accepted.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 4, 7, and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,363,202 to Goodfellow.

A claim is anticipated only if each and every element of the claim is found in a single reference. M.P.E.P. § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989)).

Amended independent claim 1 now recites, in pertinent part, “alternating a first silicon material and a second silicon material in the semiconductor substrate along the optical path between the first end and the second end....” Applicants respectfully submit that Goodfellow fails to disclose the aforementioned recited element of claim 1.

In fact, Goodfellow discloses

Suitable filters could, for example, be implemented in optical guides (by which is meant optical fibers or waveguides) formed in silica, silicon, a group III-V alloy or polymer and the ***filtering achieved by forming a phased grating by etching, embossing, exposure to ultra-violet radiation using holography or with a phase mask or aperture mask.*** (emphasis added)

Goodfellow, col. 5, lines 12-17. Thus, Goodfellow discloses a phase grating formed by etching, embossing, and exposure to ultra-violet radiation. However, Goodfellow fails

to disclose alternating a first silicon material and a second silicon material to reflect a first portion of an optical beam.

Consequently, Goodfellow fails to anticipate each and every element of newly amended claim 1, as required by M.P.E.P § 2131. Accordingly, Applicants request that the instant § 102 rejection of claim 1 be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Goodfellow in view of U.S. Patent No. 6,480,513 to Kapany et al. (“Kapany”). Claim 6 is no longer pending; therefore, the present rejection is now moot.

Dependent claims 2, 4, 7, and 8 are patentable over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 102 rejections for claims 2, 4, 7, and 8 be withdrawn.

Newly Presented Claims

Claims 30-36 are newly presented. Independent claim 30 recites, in pertinent part, “reflecting a first portion of the optical beam having a first center wavelength back out from the first end of the optical path by perturbing an effective index of refraction a plurality of times along the optical path ***with a plurality of insulated conductor structures protruding into the optical path.***” Applicants submit that neither Goodfellow nor Kapany disclose, teach, or fairly suggest perturbing an effective index of refraction a plurality of times along an optical path with a plurality of insulated conductor structures protruding into the optical path.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the

undersigned representative if the Examiner believes that an interview might be useful for any reason.

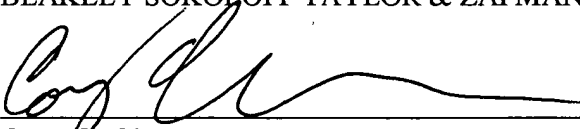
CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: July 25, 2003



Cory G. Claassen

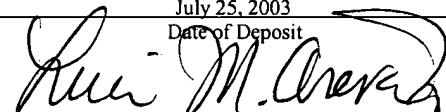
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Luci M. Arevalo

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